

WP0607C-ORD
07/26/96

ORIGINAL

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4892

AN ORDINANCE vacating a portion of NE 3rd Street between 111th Avenue NE and 112th Avenue NE in the City of Bellevue, Washington, subject to reservation of easements.

WHEREAS, the City Council adopted Resolution No. 3961 on January 25, 1982, fixing the time and place for a hearing to consider the vacation of NE 3rd Street between 111th Avenue NE and 112th Avenue NE within the City of Bellevue, Washington, and gave notice of said hearing by posting and mailing in the manner required by law; and

WHEREAS, investigation was made as to the use of said street and the public interest to be served or damaged by change of the use or vacation thereof; and

WHEREAS, a hearing was held upon said petition on the 12th day of February, 1982, at the time and place fixed in said resolution and notice, and as a result thereof the City Council having found that the vacation of said street to the extent described in the petition therefor would serve the public good and no objections thereto being made by owners of private abutting property; and

WHEREAS, Resolution No. 4044 was passed by the City Council on September 7, 1982, authorizing execution of installment agreements for the payment of compensation to the City for the vacation of those portions of NE 3rd Street between 111th Avenue NE and 112th Avenue NE; and

WHEREAS, the payment requirements of that certain installment agreement given Clerk's Receiving No. 7900 have been complied with and all required compensation has been received by the City for that portion of NE 3rd Street between 111th Avenue NE and 112th Avenue NE to be vacated as provided therein; now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES
ORDAIN AS FOLLOWS:

Section 1. The following described portion of NE 3rd Street between 111th Avenue NE and 112th Avenue NE in the City of Bellevue is hereby vacated.

A portion of NE 3rd Street between 111th Avenue NE and 112th Avenue NE: Beginning at the southeast corner of Lot 2 in Evan's

Bellevue Addition as per plat thereof recorded in Volume 48 of Plats, Page 81, in the Records and Elections Division in King County, Washington; thence South 00°05'18" West 20.01 feet along the east line, prolonged, of said lot to the center line of said NE 3rd Street; thence North 88°11'12" West 199.21 feet along said center line to the west line, prolonged, of Lot 1 in said addition; thence North 00°01'59" East 20.01 feet along said west line, prolonged to the southwest corner of said Lot 1; thence South 88°11'12" East 199.23 feet along the south lines of said Lots 1 and 2 to the point of beginning and containing 3,985 square feet, more or less.

PROVIDED, however, the City of Bellevue reserves and establishes an easement over, under and through the South 10.00 feet of the above described 3,985 square foot parcel for public utility facilities until such time as replacement easements, if needed, have been dedicated to and accepted by the City.

ALSO PROVIDED, however, the City of Bellevue reserves an easement over, under and through the East 10.00 feet of the above described 3,985-square foot parcel for sidewalks and utilities.

AND PROVIDED, however, the existing storm drainage system within said N.E. 3rd Street shall not be disturbed, disrupted or modified without approval of the Storm Drainage Utility.

ALSO RESERVING easements for existing utility lines for Puget Sound Power and Light Company, Pacific Northwest Bell Telephone Company and any other such utilities until such time said companies obtain easements or replacement easements for said existing lines.

Section 2. The City Clerk is hereby directed to record a certified copy of this ordinance with the Division of Records and Elections of King County.

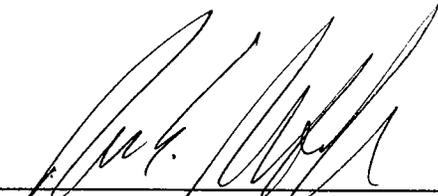
Section 3. This Ordinance shall take effect and be in force five days after its passage and legal publication.

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PASSED by the City Council this 5th day of August, 1996, and
signed in authentication of its passage this 5th day of
August, 1996.

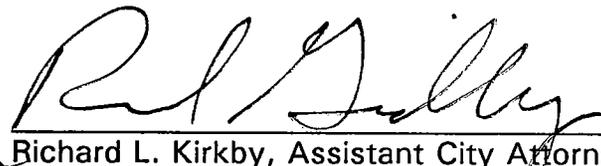
(SEAL)



Ronald E. Smith, Mayor

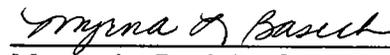
Approved as to form:

Richard L. Andrews, City Attorney



for Richard L. Kirkby, Assistant City Attorney

Attest:



Myrna L. Basich, City Clerk

Published August 9, 1996